

DCIPE
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PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : ~~Nadav et al.~~
Serial No. : 09/349,423
Filed : July 7, 1999
Title : VEHICLE SHARING SYSTEM AND METHOD INVOLVING RESERVE
VEHICLES WITH HIGHEST STATE OF CHANGE

Art Unit : 3626
Examiner : R. W. Morgan

22 1/2

MAIL STOP PETITIONS
Commissioner for Patents
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PETITION TO REVIVE APPLICATION UNDER 37 CFR §1.137(b)

Applicant hereby petitions under 37 CFR §1.137(b) to revive the above application, which went abandoned on October 14, 2003 for failure to respond to the Official Action mailed April 14, 2003.

Enclosed is 1) a "conditional" request for continued examination ("RCE"), including an RCE transmittal and a reply to the current Office Action to be considered if this petition is accepted (see MPEP 706.07(h)III.C., regarding the acceptability of a "conditional" RCE), and 2) a check for \$1330 in payment of the petition fee by a large entity as set forth in 37 CFR §1.17(m).

The entire period of delay was unintentional. At the time a response to the Final Office Action was due, prior counsel filed a continued prosecution application ("CPA"). The CPA would have been proper under the MPEP Revised Edition 8 to continue prosecution, as the application was filed before May 2000. However, the prior counsel failed to realize that the CPA practice was completely discontinued for utility patents on July 14, 2003. Subsequent to this, the handling of this case was transferred from the prior patent counsel to the current patent counsel. Once this case was received and fully entered into our docketing systems, we prepared this petition and a proper "conditional" RCE as soon as possible. Thus, the entire delay, from the due date for a response to the Final Office Action, to this filing of a grantable petition was unintentional.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

December 19, 2003

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Applicant : Murakami et al.
Serial No. : 09/349,423
Filed : July 7, 1999
Page : 2 of 2

Attorney's Docket No.: 16821-005001 / 2000-089-1

Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: _____

12/19/03

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